

Application Notice

- You must complete Parts A **and** B, **and** Part C if applicable
- Send any relevant fee and the completed application notice to the court with any draft order, witness statement or other evidence
- It is for you (and not the court) to serve this application notice

You should provide this information for listing the application

Time estimate 2 (hours) (mins)

Is this agreed by all parties? ☐ Yes ☒ No

Please always refer to the Commercial Court Guide for details of how applications should be prepared and will be heard, or in a small number of exceptional cases can be dealt with on paper.

In the	High Court of Justice Queen's Bench Division Commercial Court Royal Courts of Justice
Claim No.	CL-2016-000151
Warrant no. (if applicable)	
Claimant(s) (including ref.)	LOUIS EMOVBIRA WILLIAMS
Defendant(s) (including ref.)	1. THE FEDERAL GOVERNMENT OF NIGERIA 2. THE ATTORNEY GENERAL OF THE FEDERAL GOVERNMENT OF NIGERIA
Date	28th September 2020

Part A

1. Where there is more than one claimant or defendant, specify which claimant or defendant ~~(The claimant)~~ (The defendant)⁽¹⁾

THE 1ST AND 2ND DEFENDANTS

2. State clearly what order you are seeking (if there is room) or otherwise refer to a draft order (which must be attached) intend(s) to apply for an order (a draft of which is attached) that⁽²⁾

- An order setting aside the default judgment of Honourable Mrs Justice Moulder dated 09/11/2018.
- An order striking out the claim form as an invalid claim form
- An order declaring that the court has no jurisdiction to entertain the claim.

3. Briefly set out why you are seeking the order. Identify any rule or statutory provision because⁽³⁾

- No service of the claim form with the particulars of claim on the Defendants in compliance with section 12(1) State Immunity Act 1978 and CPR r. 6.36, 6.37 and 6.44. Under CPR r. 13.2 the Defendants are entitled an order setting aside the default judgment of Mrs Justice Moulder dated 09/11/2018.
- Under CPR r. 7.5(2) the Defendants are entitled to an order striking out the claim form as invalid for non - service of the claim form on the Defendants outside jurisdiction within 6 months (on 8th September 2016) from the date of issue on 8th March 2016.
- Under section 1 of the State Immunity Act 1978 the Defendants are immune from the jurisdiction of the English court in respect of the claim.

Part B

*(~~The claimant~~)(The defendant)⁽¹⁾ wishes to rely on: *tick one*

the attached (witness statement)(affidavit) ☒ (the claimant)(the defendant)'s⁽¹⁾ statement of case ☐

evidence in Part C overleaf in support of this application ☐

Signed

Femi Oboro

(Applicant) ('s legal representative)

**Position or
office held**(if signing on
behalf of firm,
company or
corporation)

Solicitor

4. If you are not already a party to the proceedings, you must provide an address for service of documents

Address to which documents about this claim should be sent (including reference if appropriate)⁽⁴⁾

GROMYKO AMEDU SOLICITORS 148 ACRE LANE LONDON		If applicable		
		Tel. no.	020 8678 8996	
		Fax no.	020 8678 0664	
		DX no.		
Ref: GA/FO/2327	Postcode	SW2 5UT	e-mail	femi.oboro@gromykoamedusolicitors.co.uk